

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOMINGO RIVERA and
JESUS GONZALEZ,

Defendants.

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8:16CR64

ORDER

This matter is before the court on the motion to continue by defendant Jesus Gonzalez (Gonzalez) (Filing No. 42). Gonzalez seeks a continuance of the trial of this matter was scheduled for November 14, 2016. Gonzalez's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted' and trial will be continued as to both defendants.

IT IS ORDERED:

1. Gonzalez's motion to continue trial (Filing No. 42) is granted.
2. Trial of this matter is re-scheduled for **January 23, 2017**, before Judge Robert F. Rossiter, Jr., and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 8, 2016, and January 23, 2017**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 8th day of November, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge